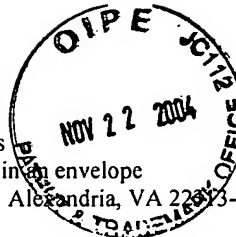


CERTIFICATE OF MAILING

hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail on November 17, 2004 in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Libby Hill
Libby Hill



Ref. No.: 12439-0152

FW
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/810,758
Applicant : Eldridge et al.
Filed : March 26, 2004
TC/A.U. : 3621
Examiner : Bradley B. Bayat

Confirmation No. 9082

Docket No. : P127C1-US

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

Listed on an attached Form PTO/SB/08A is information known to applicant(s).

Applicants ask that the attached Form PTO/SB/08A be initialed and returned in accordance with MPEP §609. This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56.

COMMONLY OWNED, RELATED U.S. PATENTS AND APPLICATIONS

Applicants note that citation numbers 5-15, 17-19, 24, and 29 in the attached listing are U.S. patents or applications that are commonly owned with the above-identified patent application and may contain subject matter that is related to the subject matter of the above-identified patent application. The Examiner's attention is therefore directed to the prosecution history of the foregoing related U.S. patent(s) and patent application(s) and prior art cited in these patent(s) and patent application(s); Applicants assume the Examiner has access to all of the prosecution history, including the cited prior art, of these patents(s) and patent application(s), but Applicants will provide copies of all or any part of the prosecution history of or prior art from any of these patent(s) or patent application(s) upon request.

11/24/2004 MAHMED1 00000016 10810758

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180.00 OP

COPIES NOT PROVIDED

A copy of citation numbers 1-29 is **not** provided in accordance with the Pre-OG Notice By Deputy Commissioner Stephen G. Kunin dated July 11, 2003 waiving the requirement to file copies of US patent publications in applications filed after June 30, 2003. A copy of citation numbers 30 is **not** provided because each listed document was cited in the parent application US Serial No. 09/954,617. See 37 CFR § 1.98(d)].

- ☐ This statement is filed as one part of a multi-part submission. The fee for the complete submission was included in an electronically filed submission on _____. Applicants request the foregoing fee be accepted for this statement. (See OG Notice dated 17 September 2002.)
- ☐ This statement qualifies under 37 C.F.R. §1.97, subsection (b) because (check all that apply):
- ☐ It is being filed within 3 months of the application filing date (other than the filing date of a continued prosecution application under §1.53(d)); or
 - ☐ It is being filed within 3 months of entry of a national stage; or
 - ☐ It is being filed before the mail date of the first Office Action on the merits; or
 - ☐ It is being filed before the mail date of the first Office Action after the filing of a request for continued examination under §1.114.
- ☒ 37 C.F.R. §1.97(c). If this statement is being filed three months after the filing date of a national application or entry of the national stage in an international application and the mailing date of a first Office action on the merits but before the mailing date of the earlier of a final office action, a notice of allowance, or an action that otherwise closes prosecution in the application, then:
- ☐ a statement as specified in §1.97(e) is provided below; or
 - ☒ a fee of \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.
- ☐ 37 C.F.R. §1.97(d). If this statement is being filed after the mailing date of the earlier of a final office action under §1.113, a notice of allowance under §1.311, or an action that otherwise closes prosecution in the application, but before payment of the issue fee, then:
- A. a statement as specified in §1.97(e) is provided below; and
 - B. a fee of \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.

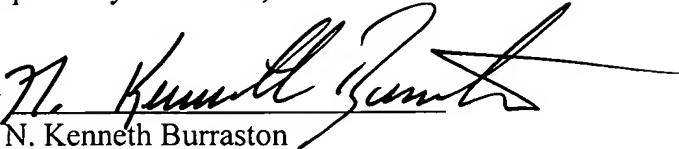
Fee:

- ☐ No fee is due.
☒ A check that includes \$180.00 for the above-identified fee(s) is enclosed.

Respectfully submitted,

Date: November 17, 2004

By


N. Kenneth Burraston
Reg. No. 39,923

Kirton & McConkie
1800 Eagle Gate Tower
60 East South Temple
P.O. Box 45120
Salt Lake City, Utah 84111-1004
Telephone: (801) 323-5934
Fax: (801) 321-4893

Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				<i>Complete If Known</i>	
				Application Number	10/810,758
				Filing Date	March 26, 2004
				First Named Inventor	Eldridge et al.
				Group Art Unit	3621
Examiner Name	Bradley B. Bayat				
Sheet	1	of	2	Attorney Docket No.	P127C1-US

U.S. PUBLISHED PATENT DOCUMENTS							
Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant	Publ./Issue Date	Related [#]	Copy Enclosed
		Number	Kind Code ²				
	1.	5042148		Tada et al.	8/27/1991		No ^{***}
	2.	5065092		Sigler	11/12/91		No ^{***}
	3.	5712858		Godiwala et al.	1/27/98		No ^{***}
	4.	5818249		Momohara	10/6/98		No ^{***}
	5.	5829128		Eldridge et al.	11/03/1998	x	No ^{***}
	6.	5864946		Eldridge et al.	2/2/1999	x	No ^{***}
	7.	5900738		Khandros et al.	5/4/1999	x	No ^{***}
	8.	5917707		Khandros et al.	6/29/1999	x	No ^{***}
	9.	5974662		Eldridge et al.	11/2/1999	x	No ^{***}
	10.	5983493		Eldridge et al.	11/16/1999	x	No ^{***}
	11.	5994152		Khandros et al.	11/30/1999	x	No ^{***}
	12.	6029344		Khandros et al.	2/29/2000	x	No ^{***}
	13.	6032356		Eldridge et al.	3/7/2000	x	No ^{***}
	14.	6042712		Mathieu	3/28/2000	x	No ^{***}
	15.	6043563		Eldridge et al.	3/28/2000	x	No ^{***}
	16.	6049895		Sugimoto	4/11/2000		No ^{***}
	17.	6050829		Eldridge et al.	4/18/2000	x	No ^{***}
	18.	6064213		Khandros et al.	5/16/2000	x	No ^{***}
	19.	6090261		Mathieu	7/18/2000	x	No ^{***}
	20.	6113646		Holden	9/5/2000		No ^{***}

Examiner Signature		Date Considered	
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* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication

¹Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

** Reference cited in parent application US Serial No. 09/954,617. 37 CFR § 1.98(d)

*** Pre-OG Notice By Deputy Commissioner Stephen G. Kunin dated July 11, 2003 waiving the requirement to file copies of US patent publications in applications filed after June 30, 2003.

Commonly owned US patent or application whose subject matter may be related to the subject matter of the instance patent application.

Modified Form PTO/SB/08A

Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				<i>Complete If Known</i>	
				Application Number	10/810,758
				Filing Date	March 26, 2004
				First Named Inventor	Eldridge et al.
				Group Art Unit	3621
Examiner Name	Bradley B. Bayat				
Sheet	2	of	2	Attorney Docket No.	P127C1-US

U.S. PUBLISHED PATENT DOCUMENTS							
Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant	Publ./Issue Date	Related [#]	Copy Enclosed
		Number	Kind Code ²				
	21.	6139177		Venkatraman et al.	10/31/2000		No ^{***}
	22.	6144933		Guccione	11/7/2000		No ^{***}
	23.	6167537		Silva et al.	12/26/2000		No ^{***}
	24.	6218910		Miller	4/17/2001	x	No ^{***}
	25.	6223092		Miyakawa et al.	4/24/2001		No ^{***}
	26.	6249133		Schwindt	6/19/2001		No ^{***}
	27.	6255602		Evans et al.	7/3/2001		No ^{***}
	28.	6265888		Hsu	7/24/2001		No ^{***}
	29.	6714828		Eldridge et al.	3/30/2004	x	No ^{***}

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant	Publ. Date	T ⁶	Copy Enclosed
		Office ³	Number ⁴	Kind Code ⁵				
	30.	WO	00/33096		Eldridge	6/8/2000		No ^{**}

Examiner Signature		Date Considered	
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* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication

¹Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

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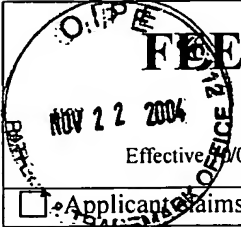
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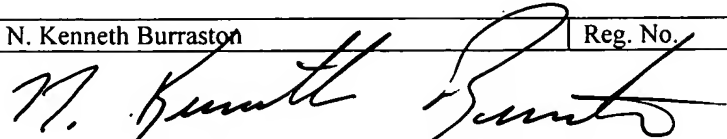
Libby Hill
Libby Hill

 <h2 style="margin: 0;">FEE TRANSMITTAL</h2> <h3 style="margin: 0;">for FY 2004</h3> <p style="margin: 0;">Effective 10/01/2001. Patent fees are subject to annual revision</p>		Complete If Known	
		Application Number	10/810,758
		Filing Date	March 26, 2004
		First Named Inventor	Eldridge et al.
		Examiner Name	Bradley B. Bayat
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Art Unit	3621
TOTAL AMOUNT OF PAYMENT		(\$)	180.00
		Attorney Docket No.	P127C1-US

METHOD OF PAYMENT (check all that apply)	FEE CALCULATION (continued)																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																												
<input type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None <input checked="" type="checkbox"/> Deposit Account Account Number: <u>500843</u> Account Name: <u>Kirton & McConkie</u> The Director is authorized to: (check all that apply) <input checked="" type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit overpayments <input checked="" type="checkbox"/> Charge any additional fee(s) or any underpayment of fee(s) <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.	<h3>3. ADDITIONAL FEES</h3> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> <th rowspan="2">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr><td>1051</td><td>130</td><td>2051</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>1052</td><td>50</td><td>2052</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>1053</td><td>130</td><td>1053</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>1812</td><td>2,520</td><td>1812</td><td>2,520</td><td>Request for <i>ex parte</i> reexam</td><td></td></tr> <tr><td>1804</td><td>920*</td><td>1804</td><td>920*</td><td>Publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>1805</td><td>1,840*</td><td>1805</td><td>1,840*</td><td>Publication of SIR after Examiner action</td><td></td></tr> <tr><td>1251</td><td>110</td><td>2251</td><td>55</td><td>Extension of one month</td><td></td></tr> <tr><td>1252</td><td>430</td><td>2252</td><td>215</td><td>Extension of two months</td><td></td></tr> <tr><td>1253</td><td>980</td><td>2253</td><td>490</td><td>Extension of three months</td><td></td></tr> <tr><td>1254</td><td>1,530</td><td>2254</td><td>765</td><td>Extension of four months</td><td></td></tr> <tr><td>1255</td><td>2,080</td><td>2255</td><td>1,040</td><td>Extension of five months</td><td></td></tr> <tr><td>1401</td><td>340</td><td>2401</td><td>170</td><td>Notice of Appeal</td><td></td></tr> <tr><td>1402</td><td>340</td><td>2402</td><td>170</td><td>Filing appeal brief</td><td></td></tr> <tr><td>1403</td><td>300</td><td>2403</td><td>150</td><td>Request for oral hearing</td><td></td></tr> <tr><td>1451</td><td>1,510</td><td>1451</td><td>1,510</td><td>Petition for public use hearing</td><td></td></tr> <tr><td>1452</td><td>110</td><td>2452</td><td>55</td><td>Pet. to revive - unavoidable</td><td></td></tr> <tr><td>1453</td><td>1,370</td><td>2453</td><td>685</td><td>Pet. to revive - unintentional</td><td></td></tr> <tr><td>1501</td><td>1,370</td><td>2501</td><td>685</td><td>Utility issue fee (or reissue)</td><td></td></tr> <tr><td>1502</td><td>490</td><td>2502</td><td>245</td><td>Design issue fee</td><td></td></tr> <tr><td>1503</td><td>660</td><td>2503</td><td>330</td><td>Plant issue fee</td><td></td></tr> <tr><td>1460</td><td>130</td><td>1460</td><td>130</td><td>Petitions to Director</td><td></td></tr> <tr><td>1807</td><td>50</td><td>1807</td><td>50</td><td>Fee under 37 CFR 1.17(q)</td><td></td></tr> <tr><td>1806</td><td>180</td><td>1806</td><td>180</td><td>Submission of IDS</td><td>180</td></tr> <tr><td>8021</td><td>40</td><td>8021</td><td>40</td><td>Record patent assignment</td><td></td></tr> <tr><td>1809</td><td>790</td><td>2809</td><td>395</td><td>Filing submission after final</td><td></td></tr> <tr><td>1810</td><td>790</td><td>2810</td><td>395</td><td>Each additional invention (37 CFR 1.129(a))</td><td></td></tr> <tr><td>1801</td><td>790</td><td>2801</td><td>395</td><td>RCE</td><td></td></tr> <tr><td>1802</td><td>900</td><td>1802</td><td>900</td><td>Request for expedited examination of design application</td><td></td></tr> <tr><td colspan="6">Other fee (specify)</td></tr> <tr> <td colspan="2"> <h3>1. 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Filing fee		SUBTOTAL (1)				(\$) zero		Total Claims		-20** =		X		Fee from below		Fee Paid		Indp. Claims		-3** =		X						Multiple Dependent										Large Entity		Small Entity		Fee Description	Fee Code	Fee (\$)	Fee Code	Fee (\$)	1202	18	2202	9	** Claims in excess of 20	1201	88	2201	44	** Independent claims in excess of 3	1203	300	2203	150	** Multiple dependent Claim	1204	88	2204	44	** Reissue independent claims over original patent	1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	SUBTOTAL (2)				(\$) zero	<h3>3. ADDITIONAL FEES</h3> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> <th rowspan="2">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr><td>1051</td><td>130</td><td>2051</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>1052</td><td>50</td><td>2052</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>1053</td><td>130</td><td>1053</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>1812</td><td>2,520</td><td>1812</td><td>2,520</td><td>Request for <i>ex parte</i> reexam</td><td></td></tr> <tr><td>1804</td><td>920*</td><td>1804</td><td>920*</td><td>Publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>1805</td><td>1,840*</td><td>1805</td><td>1,840*</td><td>Publication of SIR after Examiner action</td><td></td></tr> <tr><td>1251</td><td>110</td><td>2251</td><td>55</td><td>Extension of one month</td><td></td></tr> <tr><td>1252</td><td>430</td><td>2252</td><td>215</td><td>Extension of two months</td><td></td></tr> <tr><td>1253</td><td>980</td><td>2253</td><td>490</td><td>Extension of three months</td><td></td></tr> <tr><td>1254</td><td>1,530</td><td>2254</td><td>765</td><td>Extension of four months</td><td></td></tr> <tr><td>1255</td><td>2,080</td><td>2255</td><td>1,040</td><td>Extension of five months</td><td></td></tr> <tr><td>1401</td><td>340</td><td>2401</td><td>170</td><td>Notice of Appeal</td><td></td></tr> <tr><td>1402</td><td>340</td><td>2402</td><td>170</td><td>Filing appeal brief</td><td></td></tr> <tr><td>1403</td><td>300</td><td>2403</td><td>150</td><td>Request for oral hearing</td><td></td></tr> <tr><td>1451</td><td>1,510</td><td>1451</td><td>1,510</td><td>Petition for public use hearing</td><td></td></tr> <tr><td>1452</td><td>110</td><td>2452</td><td>55</td><td>Pet. to revive - unavoidable</td><td></td></tr> <tr><td>1453</td><td>1,370</td><td>2453</td><td>685</td><td>Pet. to revive - unintentional</td><td></td></tr> <tr><td>1501</td><td>1,370</td><td>2501</td><td>685</td><td>Utility issue fee (or reissue)</td><td></td></tr> <tr><td>1502</td><td>490</td><td>2502</td><td>245</td><td>Design issue fee</td><td></td></tr> <tr><td>1503</td><td>660</td><td>2503</td><td>330</td><td>Plant issue fee</td><td></td></tr> <tr><td>1460</td><td>130</td><td>1460</td><td>130</td><td>Petitions to Director</td><td></td></tr> <tr><td>1807</td><td>50</td><td>1807</td><td>50</td><td>Fee under 37 CFR 1.17(q)</td><td></td></tr> <tr><td>1806</td><td>180</td><td>1806</td><td>180</td><td>Submission of IDS</td><td>180</td></tr> <tr><td>8021</td><td>40</td><td>8021</td><td>40</td><td>Record patent assignment</td><td></td></tr> <tr><td>1809</td><td>790</td><td>2809</td><td>395</td><td>Filing submission after final</td><td></td></tr> <tr><td>1810</td><td>790</td><td>2810</td><td>395</td><td>Each additional invention (37 CFR 1.129(a))</td><td></td></tr> <tr><td>1801</td><td>790</td><td>2801</td><td>395</td><td>RCE</td><td></td></tr> <tr><td>1802</td><td>900</td><td>1802</td><td>900</td><td>Request for expedited examination of design application</td><td></td></tr> <tr><td colspan="6">Other fee (specify)</td></tr> <tr> <td colspan="4" style="text-align: right;">SUBTOTAL (3)</td> <td colspan="2">(\$) 180.00</td> </tr> </tbody> </table>	Large Entity		Small Entity		Fee Description	Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)	1051	130	2051	65	Surcharge - late filing fee or oath		1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet		1053	130	1053	130	Non-English specification		1812	2,520	1812	2,520	Request for <i>ex parte</i> reexam		1804	920*	1804	920*	Publication of SIR prior to Examiner action		1805	1,840*	1805	1,840*	Publication of SIR after Examiner action		1251	110	2251	55	Extension of one month		1252	430	2252	215	Extension of two months		1253	980	2253	490	Extension of three months		1254	1,530	2254	765	Extension of four months		1255	2,080	2255	1,040	Extension of five months		1401	340	2401	170	Notice of Appeal		1402	340	2402	170	Filing appeal brief		1403	300	2403	150	Request for oral hearing		1451	1,510	1451	1,510	Petition for public use hearing		1452	110	2452	55	Pet. to revive - unavoidable		1453	1,370	2453	685	Pet. to revive - unintentional		1501	1,370	2501	685	Utility issue fee (or reissue)		1502	490	2502	245	Design issue fee		1503	660	2503	330	Plant issue fee		1460	130	1460	130	Petitions to Director		1807	50	1807	50	Fee under 37 CFR 1.17(q)		1806	180	1806	180	Submission of IDS	180	8021	40	8021	40	Record patent assignment		1809	790	2809	395	Filing submission after final		1810	790	2810	395	Each additional invention (37 CFR 1.129(a))		1801	790	2801	395	RCE		1802	900	1802	900	Request for expedited examination of design application		Other fee (specify)						SUBTOTAL (3)				(\$) 180.00																																																																																																																																																																																											
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** or number previously paid, if greater

* Reduced by Basic Filing Fee Paid

SUBMITTED BY		(Complete (if applicable))			
Name (Print/Type)	N. Kenneth Burraston	Reg. No.	39,923	Telephone	(801) 323-5934
Signature				Date	November 17, 2004